

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Stewart N. Abramson,

Plaintiff,

v.

Huron Law Group, PLLC,

Defendant.

Civil Action No.:

Hon. Judge

**NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, Defendant Huron Law Group, PLLC (“**Huron**”) hereby gives notice of removal of this action, entitled *Stewart N. Abramson v. Huron Law Group, PLLC*, Case No. AR-14-000028, from the Court of Common Pleas of Allegheny County, Civil Division, to the United States District Court for the Western District of Pennsylvania. In support thereof, Huron states as follows:

1. On January 6, 2014, plaintiff Stewart N. Abramson (“**Plaintiff**”) commenced a state court action in the Court of Common Pleas of Allegheny County, Pennsylvania (the “State Court Action”). The Court of Common Pleas of Allegheny County, Pennsylvania is within this judicial district and division.

2. Huron first received notice of the State Court Action by service of the attached Summons and Complaint on January 7, 2014. This Notice of Removal is timely filed as thirty days since service of the summons has not yet expired. *See* 28 U.S.C. § 1446(b).

3. The State Court Action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be properly removed pursuant to

provisions of 28 U.S.C. §§ 1441 and 1446, as the claims asserted in the Complaint arise under the laws of the United States and raise a federal question.

4. The federal statutes and regulations in question include, without limitation, the Telephone Consumer Protection Act of 1991, 47 U.S.C. § 227, *et seq.*

5. The district courts of the United States have original jurisdiction in civil actions arising under the Telephone Consumer Protection Act of 1991. *See* 28 U.S.C. § 1331 (“The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States”); *Mims v. Arrow Fin. Svcs. LLC*, 132 S. Ct. 740 (2012) (“Congress did not deprive federal courts of federal-question jurisdiction over private TCPA suits.”)

6. Specifically, Plaintiff’s Complaint alleges that “Defendant Huron Law Group or an agent, employee or representative acting on their behalf, made [two calls] to Plaintiff’s cellular telephone using an automatic telephone dialing system, without Plaintiff’s prior express consent, in violation of 47 U.S.C. 227(b)(1)(A)(iii).” *See Compl.*, at ¶ 16.

7. Huron removes the State Court Action to the United States District Court for the Western District of Pennsylvania because it is the venue that encompasses Allegheny County, Pennsylvania. Huron removes this action without prejudice to Huron’s right to seek transfer of this action pursuant to 28 U.S.C. § 1404.

8. True and correct copies of the following are attached to this Notice of Removal:

(a) all process, pleadings and orders which have been served upon Huron in this action, including the Summons and Complaint (attached hereto as **Exhibit A**), in accordance with 28 U.S.C. § 1446(a);

(b) the Notice of Filing of Notice of Removal Plaintiff of Removal (attached hereto as **Exhibit B**), which will be promptly served upon Plaintiff and filed with the Clerk of the Court of Common Pleas for Allegheny County, Pennsylvania, in accordance with 28 U.S.C. § 1446(d).

9. Based upon the foregoing, this action is properly removed on the basis of federal question jurisdiction pursuant to 28 U.S.C. §§ 1331, 1441 and 1446.

WHEREFORE, this action is hereby removed to this Court from the Court of Common Pleas of Allegheny County, Pennsylvania. Plaintiff is hereby notified to proceed no further in state court.

Respectfully Submitted,

OLSON LAW GROUP

/s/ Charity A. Olson
Charity A. Olson (MI P68295)
Attorneys for Defendant
2723 S. State St., Suite 150
Ann Arbor, MI 48104
T: (734) 222-5179
F: (866) 941-8712
colson@olsonlawpc.com

Dated: January 23, 2014

CERTIFICATE OF SERVICE

I, Charity A. Olson, hereby certify that a copy of the foregoing Notice of Removal was filed via the Court's ECF system and served via first class mail upon the following:

Stewart N. Abramson
522 Glen Arden Drive
Pittsburgh, PA 15208

Pro Se Plaintiff

/s/ Charity A. Olson
Charity A. Olson